

Statement of
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Committee on Agriculture, Nutrition and Forestry
Concerning
The Administration's Implementation of the Healthy Forests Restoration Act
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INTRODUCTION

Mr. Chairman, thank you for the opportunity to testify on the Administration's progress on implementing the Healthy Forest Restoration Act of 2003 (HFRA). President Bush signed this act into law on December 3, 2003. We are all grateful for the swift action by the Congress in passing this important piece of legislation, which gives federal agencies additional tools to reduce the risk of severe wildland fires and restore forest and rangeland health.

HFRA AND THE HEALTHY FORESTS INITIATIVE

The HFRA is an important bi-partisan expression from Congress that recognizes that critical fuels treatment and forest and rangeland restoration projects are being unnecessarily delayed by administrative procedures which are putting rural communities and critical social and ecological values at substantial risk from severe wildland fire.

The HFRA complements administrative reforms that have been put into place under President Bush's Healthy Forest Initiative (HFI). These reforms facilitate hazardous fuel treatments and ecological restoration projects on federal land. Some examples of these HFI administrative reforms include:

- Two new categorical exclusions under the National Environmental Policy Act (NEPA) to facilitate implementation of fuels treatment projects having minor environmental effects;
- Streamlined consultation procedures for threatened and endangered species with the U.S. Fish and Wildlife Service and National Marine Fisheries Service for National Fire Plan projects;
- Improved direction from the Council on Environmental Quality on conducting environmental assessments under NEPA; and
- Improved procedures for administrative appeals of agency proposed actions under 36 CFR 215.

Another important and related action is the authority provided by Congress to expand the use of stewardship contracting by the Forest Service (FS) and the Bureau of Land Management (BLM)

under the Omnibus Appropriations Act for Fiscal Year 2003 (Section 323 of P.L. 108-7).

Stewardship contracts will be an important tool to get a variety of fuels treatment and forest restoration work done.

PROGRESS MADE ON IMPLEMENTING HFRA

It has been just over seven months since Congress passed HFRA. The Departments have taken a number of actions to implement it, including:

- Issuing in February of 2004 an interim field guide that was jointly prepared by the Forest Service and BLM to assist federal land managers to better understand what will be required to implement HFRA.
- Developing a variety of awareness and training tools for agency employees including a web-based Forest Service intranet site with overview training on HFI and HFRA and other relevant information including on stewardship contracting pilots, Endangered Species Act counterpart regulations, collaboration and multi-party monitoring, biomass information, and model environmental assessments. We have also established a national help desk to address questions arising from our field offices.
- Making available to the public a variety of materials on HFI and HFRA on the World Wide Web. These materials are on the Forest Service and BLM homepages and on www.healthyforests.gov.

The following briefly summarizes various actions being taken to implement each title of the HFRA.

Title I – Hazardous Fuels Reduction on Federal Lands

HFRA provides for the collaborative development and expedited environmental analysis of authorized projects, a pre-decisional Forest Service administrative review process, and other measures on National Forest System and Bureau of Land Management (BLM) lands that are at-risk of catastrophic fire. HFRA focuses attention on four types of federal land: the wildland-urban interfaces of at-risk communities, at-risk municipal water supplies, land where threatened and endangered species or their habitats are at-risk of catastrophic fire and where fuels treatment can reduce those risks, and land where windthrow, or insect or disease epidemics threaten an ecosystem component or forest and rangeland resources. Through development of a vegetative mapping tool, Landfire, Agencies and communities will be better able to identify high risk areas as fuels treatment project priorities are set.

The Forest Service published interim final regulations to implement the pre-decisional review provisions under Section 105 of HFRA on January 9, 2004. These regulations provide that concerns raised by the public during project development will be addressed before land managers make their final decision on hazardous fuels reduction projects.

The HFRA builds on work carrying out fuel treatments in and around communities under the National Fire Plan, and encourages the development of Community Wildfire Protection Plans. Our partners, the National Association of State Foresters, Society of American Foresters, National Association of Counties, Communities' Committee, and Western Governor's Association have prepared guidance for at-risk communities on how they might prepare a Community Wildfire Protection Plan (CWPP). The State Foresters are leading the efforts to

organize communities to draft CWPP's. Meetings are being held in communities nationwide, and the Federal land management agency employees are proud to be one of the many partners at the table. In Montana, for example, the *Bitterroot Community Wildfire Protection Plan*, updated in April 2004 is one community fire plan that emphasizes items in the National Fire Plan, the 10-year Comprehensive Strategy and HFRA. This document, serving nine Montana communities, was approved by the Ravalli county commission, eleven fire districts or departments, USDA Forest Service and others. Not only does this plan target the reduction of hazardous fuels and fire damages to structures it also addresses the restoration of fire adapted ecosystems.

The Forest Service and Department of the Interior agencies have also issued an HFRA implementation guide and conducted training sessions for field employees on the use of the HFRA authorities. Both BLM and the Forest Service are beginning to use the expedited HFRA authorities as new hazardous fuels reduction projects are being developed this field season. We have already accomplished over 2.2 million acres of hazardous fuel reduction for 2004. Most of these projects were developed before the passage of HFRA. As projects being developed this year under the authorities of HFRA are implemented in 2005, we expect the efficiencies gained by using the authorities of HFRA to help us meet and exceed our goal.

Title II – Utilization of Woody Biomass

Title II provides information and resources to help overcome barriers to the production and use of woody material produced on fuels reduction and forest restoration projects. This authority will help communities and businesses create economic opportunity through the sustainable use of the nation's forest resources. Title II contains three focus areas: it amends the Biomass Research

and Development Act of 2000 for the purposes of woody biomass production and use from forest management operations; it amends the authority for the Rural Revitalization Through Forestry program and provides for cooperation with the FS Forest Products Lab and S&PF to accelerate adoption of biomass technologies and market activities and it authorizes federal grants to facilities using biomass for wood-based products to help offset the cost of biomass.

The Departments of Agriculture, the Interior, and Energy have signed a memorandum of understanding that lays the groundwork for the interagency biomass committee to implement biomass projects. The FY 2004 grant solicitation process for the Biomass Research and Development Act was modified to incorporate the language from Section 201. This action generated a significant increase in woody biomass related proposal submissions. Implementation guidelines for Sections 202 and 203 are being developed.

The Department of the Interior is proposing to establish consistent and efficient procedures to allow contractors the option to remove woody biomass by-products from Department of the Interior land management activities. This option, where ecologically appropriate, will provide economic and social benefits by creating jobs and conserving natural resources. Removal or use of woody biomass will reduce smoke and emissions from prescribed and natural fires; preserve landfill capacities; reduce the threat of catastrophic wildfires to communities and public/private utilities; improve watershed and wildlife habitat protection; and improve forest, woodland, and rangeland health. The Forest Service, U.S. Department of Agriculture, has in place provisions in timber sale, service and stewardship contracts that provide similar opportunities to utilize this type of materials.

Title III – Watershed Forestry Assistance

Title III authorizes the Forest Service to provide technical, financial and related assistance to private forest landowners aimed at expanding their forest stewardship capacities and to address watershed issues on non-Federal forested land and potentially forested land. Title III also directs the Secretary to provide technical, financial and related assistance to Indian tribes to expand tribal stewardship capabilities to address watershed issues.

The Watershed Forestry Assistance Program promotes use of forest and forestry practices for protecting and restoring water quality and watershed functions. The Forest Service is working with State Foresters and with Indian Tribes to develop separate guidelines for the State Watershed Forestry Assistance Program and the Tribal Watershed Forestry Assistance Program. Through collaborative approaches in priority watersheds, States and Indian Tribes can integrate forestry practices across mixed ownerships, provide cumulative water quality benefits, and offer low cost, long-term solutions to many of the nation's non-point source pollution problems. Guidelines for program implementation will be in place in early fall.

Title IV—Insect Infestations and Related Diseases

Title IV directs the Forest Service and U.S. Geological Survey, to establish an accelerated program to plan, conduct, and promote systematic information gathering on insect pests, and the diseases associated with them, to assist land managers in the development of treatments and strategies to improve forest health; to disseminate the results of such information and to carry out

the program in cooperation with scientists from colleges and universities including forestry schools, governmental agencies and private and industrial landowners.

The Secretaries of Agriculture and Interior announced during the Forest Health Conference in Little Rock, Arkansas earlier this month the formation of a series of partnerships to help implement the HFRA in the southern United States. Among these are Forest Service partnerships with southern universities and state forestry agencies to conduct two landscape scale applied research projects on the Ozark-St. Francis National Forest to address infestations of the southern pine beetle and red oak borer, which threaten forest health in the region.

Title V – The Healthy Forest Reserve Program

Title V directs USDA to establish a program for private land to promote the recovery of threatened and endangered species, improve biodiversity and enhance carbon sequestration. To achieve these objectives, Title V authorizes the Secretary of Agriculture to acquire 99-year or 30-year easements (not to exceed 99 years), or utilize 10-year cost-share agreements on qualifying lands. The Secretary may enroll up to two million acres depending on appropriations. Title V also contains provisions allowing the Secretary to make safe harbor or similar assurances to landowners who enroll land in the program and whose conservation activities result in a net conservation benefit for listed, candidate, or other species.

The USDA Natural Resources Conservation Service (NRCS) has been designated to administer the Healthy Forest Reserve Program in coordination with the Forest Service, Fish and Wildlife Service, and the National Marine Fisheries Service.

Title VI – Forest Inventory/ Monitoring and Early Warning Systems

Title VI directs the Secretary of Agriculture to carry out a program to monitor forest stands on some National Forest System lands and private lands to improve detection of and response to environmental threats.

The Forest Service has developed and published the "The Early Warning System for Forest Health Threats in the United States," which describes for the first time, in one place, the nation's system for identifying and responding to forest health threats, including web sites to obtain further information.

Presently, the Forest Service is conducting a rapid detection pilot survey of invasive bark beetles in ten port cities in FY 2004 and doubling the number of surveyed ports in 2005 to twenty. This should help detect new invasives quickly before they gain a foothold.

In addition, the Forest Service has developed a new web site for Exotic Forest Pests or www.exfor.org with detailed information on 130 highly damaging, unwanted insects and pathogens to provide information to port inspectors on how to identify and determine the risk of unwanted pests.

Also, the Forest Service is establishing a multi-agency Executive Steering Committee to provide input into future developments of the Early Warning System.

OUTLOOK FOR FUTURE IMPLEMENTATION OF HFRA

We expect to continue to make headway into treating hazardous fuels to restore fire adapted ecosystems and to help make communities safer. Although we recognize that HFI and HFRA authorities are helping to restore healthy forest and rangeland ecosystems we have much work ahead of us. We need to work to ensure that the activities associated with hazardous fuel reduction including tree thinning and prescribed fire are accepted by communities. We need to solve the problem that much of the woody material removed in fuels treatment projects is below merchantable size and is very expensive to treat. We need to gain the public's understanding that it is okay to do mechanical treatment that removes merchantable trees, and show that we can do it responsibly and to the benefit of fire adapted ecosystems. What is important is that we are leaving the healthiest, most resilient trees on the landscape.

We need continued bi-partisan Congressional support of these hazardous fuel reduction efforts, and need to expand our capacity to treat more with less, using biomass utilization, and stewardship contracting, and other tools. Homeowners need to continue to take responsibility for treating hazardous fuels on their own lands by taking action through the FIREWISE program, which helps people who live or vacation in fire-prone areas educate themselves about wildland fire protection. Homeowners can learn how to protect their homes with a survivable space and how to landscape their yard with fire resistant materials.

CONCLUSION

Mr. Chairman, with the new authorities that we have been given and the dedication and talent of our combined BLM and Forest Service workforce, we are confident that we will make significant improvements to the health of this country's forests and rangelands. We will continue to work

with our other federal, state, tribal and local partners to accomplish this. We appreciate your support. I would be happy to answer any questions the committee may have.